

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

RICKY WADE DAVIS, #173073,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:06-CV-10-MEF
)	[WO]
)	
SGT. BRYANT, et al.,)	
)	
Defendants.)	

ORDER ON MOTION

Upon consideration of the motion to add defendant filed by the plaintiff on December 22, 2006 (Court Doc. No. 34), in which the plaintiff seeks to add Richard Allen, the present commissioner of the Alabama Department of Corrections, as a defendant and for good cause, it is

ORDERED that:

1. The motion to add defendant be and is hereby GRANTED.
2. Richard Allen be added as a defendant in this cause of action.
3. Defendant Allen undertake a review of the subject matter of the complaint, as amended, (a) to ascertain the facts and circumstances of this complaint; (b) to consider whether any action should be taken to resolve the subject matter of the amended complaint; and (c) to determine whether other similar complaints, whether pending in this court or elsewhere, should be considered together.
4. On or before February 5, 2007, defendant Allen shall file a written report

containing the sworn statements of all persons having knowledge of the subject matter of the complaint, as amended. Authorization is hereby granted to interview all witnesses, including the plaintiff. Whenever relevant, copies of medical and/or psychiatric records shall be attached to the written report. Where the plaintiff's claims or the defendants' defenses relate to or involve the application of administrative rules, regulations or guidelines, the written report shall include copies of all such applicable administrative rules, regulations or guidelines.

5. No motion for summary judgment, motion to dismiss or any other dispositive motions addressed to the complaint, as amended, be filed by any party without permission of the court. If any pleading denominated as a motion for summary judgment, motion to dismiss or other dispositive motion is sent to the court, the court shall not file or otherwise treat the pleading as a dispositive motion until and unless further order of the court.

6. On or before February 5, 2007, defendant Allen shall file an answer to the complaint, as amended.

Done this 9th day of January, 2007.

/s/ Terry F. Moorner
TERRY F. MOORER
UNITED STATES MAGISTRATE JUDGE